

## **REMARKS**

### Discussion of 112 Rejections, 1<sup>st</sup> paragraph

Claims 1 and 6 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

In response, Applicant has amended Claim 1.

Withdrawal of the rejection is respectfully requested.

### Discussion of 112 Rejections, 2nd paragraph

Claims 1 and 6 are rejected under 35 U.S.C. § 112, second paragraph, as failing to comply with the written description requirement.

In response, Applicant has amended Claim 1.

Withdrawal of the rejection is respectfully requested.

### Discussion of 101 Rejections

Claims 1 and 6 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

In response, Applicant has amended Claim 1 according to get rid of the portion which made the claims non-statutory.

Withdrawal of the rejection is respectfully requested.

### Discussion of 103 Rejections

1 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 3946733 to Han.

In response, Applicant has amended Claim 1 in order to clarify the inventive points of the invention.

Claim 1 (*Emphasis added*)

1. A cupping and moxibustion device for assisting traditional East-Asian medicine, which includes a moxa pot located on the upper portion for containing moxa therein, a moxibustion part formed on the lower portion to communicate with the moxa pot, and a cupping part divided from the upper portion and the moxibustion part and located around the moxibustion part, comprising:

a) a body having a seat formed therein for seating the moxa pot inside the body and a smoke discharge hole formed on a side thereof, the smoke discharge hole being located below the seat and above the moxibustion part to communicate with the moxa pot;

b) a lid combined with the upper portion of the body and having an air suction hole communicating with the moxibustion part when it is combined with the body; and

c) an air pump connected with the air suction hole to supply air into the body, whereby moxa contained in the moxa pot is burned when the air pump is operated and the air is forcibly induced into the body, at which time, heat and smoke of the moxa are moved downwardly toward the moxibustion part, and then, discharged to the outside through the smoke discharge hole,

wherein the air pump is connected to the air suction hole and an air suction pipe, and a valve is mounted on the air suction pipe, whereby an amount of the air supplied into the body can be controlled,

wherein the seat located on the upper portion of the body to catch the moxa pot therein, and moxibustion part and the cupping part respectively located on the lower portion are formed integrally in such a way as to form the body, and the moxibustion part and the cupping part are divided by the inner

wall,

wherein the moxibustion part comprises a lower end and the cupping part comprises a lower end, wherein the lower end of the moxibustion part and the lower end of the cupping part are aligned and disposed in a same plane so as to define two separate and isolated spaces when the lower ends are blocked along the same plane, such that the cupping part keeps a cupped space enclosed by the cupping part and the lower end which is blocked in a controllable low pressure.

Claim 1 is directed to a cupping moxa utensil which can carry out moxibustion AND cupping treatment at the same time, which is possible because the lower ends of the moxibustion part and the cupping part are aligned and disposed in a same plane so as to define two separate and isolated spaces when the lower ends are blocked along the same plane.

As discussed in the previous argument for the Final Office Action, the inner wall (23) extends downward, such that the lower end of the moxibustion part (24) and the lower end of the cupping part (25) are in a same plane, so as to define two separate and isolated spaces enclosed by skin of a patient and the moxibustion part (24) and the cupping part (25). Then, two separate and isolated spaces are applied with two different pressures to treat corresponding portions of the skin of the patient concurrently. Especially, the cupped space, that is, the separate and isolated space, enclosed by the cupping part (25) and the corresponding skin portion of the patient, is applied with a pressure lower than the atmospheric pressure for treatment.

In contrast, Han's moxibustion apparatus does not teach anything about two separate parts; moxibustion and cupping. The treatment opening (56) is a single hole, which is NOT divided so as to define two separate and isolated spaces along with skin of a patient.

The rim (44) does NOT reach all the way down to the lower end of the treatment opening (56) as shown in Fig. 2. Therefore, there is NO such a thing as a cupping part of the invention.

In Han's device, there is no separate cupping part, and therefore it is NOT possible for Han's device to have an air discharge hole for maintaining the pressure inside a cupped space under the separate cupping part differently from that of all-connected combustion chamber interior (48).

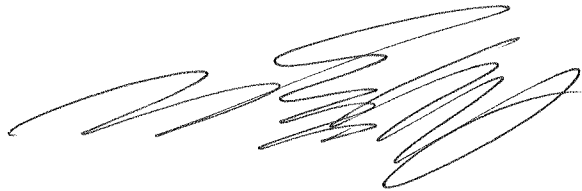
Applicant respectfully request withdrawal of the rejections.

### **CONCLUSION**

The applicant believes that the rejections were obviated by the amendment of claims, and the application is now in condition for allowance: therefore, reexamination, reconsideration and allowance of the claims are respectively requested. If there are any additional comments or requirements from the examination, the applicant asks for a non-final office action.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any over-payment to Deposit Account No. 16-0310.

Respectfully submitted,



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